

LINKLATERS LLP  
*Attorneys for*  
The Deutsche Bank Entities  
1345 Avenue of the Americas  
New York, New York 10105  
(212) 903-9000  
Lawrence Byrne  
Lance Croffoot-Suede  
Joseph Schmit  
Titia A. Holtz

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

ENRON CORP., *et al.*,

Reorganized Debtors.

ENRON CORP., *et al.*,

Plaintiff,

v.

CITIGROUP, INC., *et al.*,

Defendants.

07 Civ. 10612

Chapter 11  
Case No. 01-16034 (AJG)

Jointly Administered

Adv. Pro. No. 03-09266

**THE DEUTSCHE BANK ENTITIES' JOINDER IN THE  
CITIGROUP DEFENDANTS' MOTION TO WITHDRAW THE REFERENCE**

Defendants Deutsche Bank AG, Deutsche Bank Trust Company Americas, Deutsche Bank Securities Inc., Deutsche Bank Luxembourg, S.A., Deutsche Bank Trust Company Delaware, Deutsche Bank Trust Corporation, Bankers Trust International plc, BT Commercial Corp., DB Green, Inc., Deutsche Leasing New York Corp., Seneca Delaware, Inc., Deutsche Bank S.A., DB Ever, Inc. (f/k/a BT Ever, Inc.), and Seneca Leasing Partners, L.P. (collectively, the “Deutsche Bank Entities”), respectfully submit this Joinder in the Citigroup Defendants’ Motion to Withdraw the Reference (Docket No. 635) (the “Citigroup Motion”).

As with the Citigroup defendants, Enron has brought this action alleging common law claims (aiding and abetting fraud, aiding and abetting breach of fiduciary duty, and civil conspiracy) against all of the Deutsche Bank Entities. Enron has also brought claims against the Deutsche Bank Entities for preferential or fraudulent transfers, as well as for recovery and disallowance, in connection with various transactions it executed with several of the Deutsche Bank Entities. The Deutsche Bank Entities have answered the operative complaint in this action, and have explicitly requested a trial by jury.<sup>1</sup> As per the governing Scheduling Order, this action is presently scheduled for trial in the bankruptcy court starting April 28, 2008.

In the interest of avoiding the submission of duplicative briefing, the Deutsche Bank Entities adopt the briefing submitted by the Citigroup defendants on their motion (Docket No. 636).<sup>2</sup> Accordingly, for the foregoing reasons as well as the

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<sup>1</sup> See Answer and Affirmative Defenses of the Deutsche Bank Entities to Reorganized Debtors Fourth Amended Complaint, dated March 9, 2007, attached as Ex. A to the accompanying Declaration of Lance Crofffoot-Suede in Support of the Deutsche Bank Entities’ Joinder in the Citigroup Defendants’ Motion to Withdraw the Reference dated December 3, 2007 (“Crofffoot-Suede Decl.”).

<sup>2</sup> At footnote 19 to the Citigroup Motion, the Citigroup Defendants discuss the motion they filed with the bankruptcy court on November 16, 2007 to confirm that Texas law on loss allocation governs Enron’s common law claims. On November 21, 2007, the Deutsche Bank Entities filed a joinder in that Citigroup motion. See The Deutsche Bank Entities’ Joinder in Citigroup’s Motion for a Determination that Texas Law on Loss Allocation Governs Enron’s Common Law Claims, Enron Corp., et al. v. Citigroup Inc. et al., Adv. Pro. 03-9266 (AJG) (Bank. S.D.N.Y. Nov. 21, 2007), attached as Ex. B to the Crofffoot-Suede Decl.

reasons discussed in the memorandum of law in support of the Citigroup Motion, the Deutsche Bank Entities respectfully request that this Court grant the Citigroup Motion and withdraw the reference under 28 U.S.C. § 157 (d).

Dated: December 3, 2006  
New York, New York

Respectfully submitted,

**LINKLATERS LLP**

By: /s/ Lance Croffoot-Suede

Lawrence Byrne

Lance Croffoot-Suede

Joseph B. Schmit

Titia A. Holtz

1345 Avenue of the Americas

New York, New York 10105

(212) 903-9000

*Attorneys for*  
The Deutsche Bank Entities

**CERTIFICATE OF SERVICE**

I, Titia Holtz, an attorney duly admitted to practice law before this Court, certify under penalty of perjury that on December 3, 2007, I caused a true copy of the foregoing Deutsche Bank Entities' Joinder in the Citigroup Defendants' Motion to Withdraw the Reference to be served via the Court's ECF system and First Class mail upon each of the following attorneys of record:

William J. McSherry, Jr.  
Clifton S. Ellgarten  
Steven D. Greenblatt  
Crowell & Moring LLP  
153 East 53rd Street  
31st Street  
New York, NY 10022

David M. Stern  
Lee R. Bogdanoff  
Stacia A. Neeley  
Klee, Tuchin, Bogdanoff & Stern LLP  
1999 Avenue of the Stars  
39th Floor  
Los Angeles, CA 90067

Douglas R. Davis  
Stephen J. Shimsak  
Brad S. Karp  
Claudia Hammerman  
Jonathan H. Hurwitz  
Paul Weiss Rifkind Wharton  
& Garrison LLP  
1285 Avenue of the Americas  
New York, NY 10019-6064

Dated: December 3, 2007  
New York, New York

/s/ Titia A. Holtz  
Titia A. Holtz